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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 TIFFANI WELLS,

9 Plaintiff,

10 v.

11 CREDIT ONE BANK,

12 Defendant.  
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Case No. 2:11-CV-01325-KJD-GWF

**ORDER**

14 Before the Court is Defendant Credit One Bank's Motion to Dismiss or to Compel  
15 Arbitration (#6). No opposition has been filed.

16 Local Rule 7-2(d) provides that failure to oppose a motion "constitute[s] a consent to granting  
17 of the motion." Plaintiff's opposition was due on December 3, 2011. Credit One argues that because  
18 the dispute is subject to an arbitration agreement, Plaintiff has failed to demonstrate subject matter  
19 jurisdiction. According to Credit One, dismissal for lack of subject matter jurisdiction pursuant to  
20 Fed. R. Civ. P. 12(b)(1) is appropriate. The Court finds that this contention has merit.

21 Accordingly, **IT IS HEREBY ORDERED** that the Motion to Dismiss (#6) is **GRANTED**.

22 DATED this 12<sup>th</sup> day of December 2011.  
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26 Kent J. Dawson  
United States District Judge